

FROM APR. 19. 2004 3:32PM

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NO. 4294 P. 4  
Apr. 19 2004 12:26PM F2  
NO. 4290 P. 2

APR 26 2004

P21072.A07

OFFICIAL

Application No. 09/874,992

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : S. SCHRAGA

Group Art Unit: 3731

Serial No : 09/874,992

Examiner: Bui

Filed : June 7, 2001

For : ADJUSTABLE LENGTH MEMBER SUCH AS A CAP OF A LANCET DEVICE  
FOR ADJUSTING PENETRATION DEPTH

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your petitioner, Stat Medical Devices Inc., a corporation of the State of Florida, whose business address is 1835 E. 146<sup>th</sup> Street, North Miami, FL 33181, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on June 11, 1998 at Reel 9246, Frame 0031 of U.S. Application No. 09/095,905 for Adjustable Length Member Such as a Cap of a Lancet Device for Adjusting Penetration Depth.

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NO. 4294 P. 5  
Apr. 19 2004 12:26PM P3  
NO. 4290 P. 3

P21072.A07

Application No. 09/874,992

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, Stat Medical Devices Inc., hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,346,114 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,346,114 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns,

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,346,114 B1 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

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Apr. 19 2004 NO. 42946PMP. 6  
NO. 4290 P. 4

APR. 19. 2004 11:33AM

P21072.A07

Application No. 09/874,992

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,  
Stat Medical Devices Inc.

By

Name

Title

4/19, 2004